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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/696,999

10/31/2003

Abdlmonem H. Beitelmal

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09/10/2004

HEWLETT-PACKARD COMPANY

Intellectual Property Administration

P.O. Box 272400

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EXAMINER

VORTMAN, ANATOLY

ART UNIT

PAPER NUMBER

2835

DATE MAILED: 09/10/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/696,999

Applicant(s)

BEITELMAL ET AL.

Examiner

Anatoly Vortman

Art Unit

2835

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 August 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 10-13 and 21-37 is/are pending in the application.
- 4a) Of the above claim(s) 26-32 is/are withdrawn from consideration.
- 5) ☒ Claim(s) 35-37 is/are allowed.
- 6) ☒ Claim(s) 10-13, 21-25 and 34 is/are rejected.
- 7) ☒ Claim(s) 33 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 31 October 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Amendment

1. The submission of the amendment filed on 08/03/2004 is acknowledged. At this point new claims 33-37 have been added. No amendments to the claims have been made. Thus, claims 10-13 and 21-37 are pending in the instant application. Claims 26-32 have been withdrawn from further consideration as drawn to a non-elected invention.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 10-13, 21-25, and 34, are rejected under 35 U.S.C. 102(b) as being anticipated by US/4,997,030 to Goto et al., (Goto).

Regarding claims 10-13 and 21-25, Goto disclosed (Fig. 1, 2) a method of cooling a plurality of heat generating components (69a-b) of an electronic system having an enclosure (11) and a plenum (43) located within said enclosure (11), said method comprising activating at least one variable speed blower (33) (column 3, line 28) and a plurality of individually controlled valves (57a-c), each of said valves terminating substantially close to a respective heat generating component (69a-b), to thereby supply cooling fluid to said heat generating components, sensing

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the temperatures (a plurality of temperature sensors provided in corresponding remote controllers (69a-c) (see column 5, lines 15-17)) of each of said heat generating components (69a-c); determining whether said sensed temperatures are within a predetermined temperature range and individually varying said supply of said cooling fluid to said heat generating components in response to said sensed temperatures falling outside of said predetermined temperature range by increasing or decreasing the speed of said at least one blower (33) and by individually closing or opening said valves (57a-c) (Fig. 5, column 4, lines 40+, columns 5-7).

Regarding claim 34, Goto disclosed a computer system (69a-b) (a controller (69a-b) is a computer, since it process the input data and adjust the cooling cycle accordingly (see Fig. 3 and 5)), wherein said controller is a heat generating component (said controller (69a-b) inherently generates heat as any electronic device does).

Allowable Subject Matter

4. Claims 35-37 are allowed.

5. Claim 33 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

6. The following is a statement of reasons for the indication of allowable subject matter: regarding claims 35-37, claim 35 recites: "a nozzle";

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regarding claim 33, the claim recites: "a plurality of nozzles".

The aforementioned limitations in combination with all remaining limitations of the respective claims, are believed to render the claims patentable over the art of record.

Response to Arguments

7. Applicant's arguments filed on 08/03/04 have been fully considered but they are not persuasive.

Regarding the Election/Restriction, it was stated in the outstanding non-final Office action that requirement had been made final. The Applicant's assumption that searches for groups I and II are overlapping, are in error, since it was shown in the original Election/Restriction requirement that they (searches) are not. Furthermore, the Applicant has stated (see p. 10 of the Amendment) that: "In addition, as set forth in MPEP 803, [i]f the search and examination of an entire application can be made without serious burden, the examiner must examine it on the merits, even though it includes claims to independent or distinct inventions." It is clearly the case here (emphasis added) that examination of all the claims would not be a serious burden on the Examiner". Essentially, the Applicant is requesting to examine entire application, despite the admission that it (the application) contains claims to independent and distinct inventions, because allegedly the examination of all claims would not be a serious burden on the Examiner. To the contrary the Examiner would like to reiterate that it would be a serious burden to examine the entire application for the reasons presented earlier.

Regarding the rejection under 35 USC 102, the main thrust of the arguments is directed to the assumption that “room remote controllers 69a-69c are **not** heat generating components” (p.13 of the Amendment, second paragraph). Please note that said controllers are electronic devices, thus they inherently generate heat under normal working conditions as any electronic device does. Furthermore, the Applicant has stated that “room remote controllers 69a-69c are positioned a substantial distance from the valves (dampers) 57a-57c”. To the contrary it is clearly shown on Fig.1 of Goto that said remote controllers 69a-69c are positioned substantially close (as claimed) to said valves 57a-57c. It is believed that rejected claims read on Goto reference as shown in the rejection above.

Conclusion

8. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anatoly Vortman whose telephone number is 571-272-2047. The examiner can normally be reached on Monday-Friday, between 10:00 am and 6:30 pm..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ms. Lynn Feild can be reached on 571-272-2092. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Anatoly Vortman
Primary Examiner
Art Unit 2835

AV

A handwritten signature in black ink, appearing to read 'A. Vortman', with a long horizontal flourish extending to the right.